

forces in the Air Force Reserve. General Lee is moving on to new challenges and opportunities and I wish him, along with his new wife, all the luck in the world, and success in all his future endeavors.

#### WAS CONGRESS IRRESPONSIBLE? CONSIDER THE ARITHMETIC

Mr. HELMS. Mr. President, before discussing today's bad news about the Federal debt, how about "another go," as the British put it, with our pop quiz. Remember? One question, one answer.

The question: How many millions of dollars does it take to make a trillion dollars? While you are thinking about it, bear in mind that it was the U.S. Congress that ran up the Federal debt that now exceeds \$4.9 trillion.

To be exact, as of the close of business yesterday, Wednesday, July 26, the total Federal debt—down to the penny—stood at \$4,941,608,987,271.97, of which, on a per capita basis, every man, woman, and child in America owes \$18,758.43.

Mr. President, back to our pop quiz, how many million in a trillion: There are a million million in a trillion.

#### RECESS

Mr. HELMS. Mr. President, I believe there is no Senator seeking recognition. On behalf of the majority leader, I ask unanimous consent the Senate stand in recess until the hour of 3 p.m. today.

There being no objection, at 2:09 p.m., the Senate recessed until 3 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. GORTON).

The PRESIDING OFFICER. The Presiding Officer in his capacity as a Senator from the State of Washington notes the absence of a quorum.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMPSON). Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I ask that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE 30TH BIRTHDAY OF MEDICARE

Mr. ROCKEFELLER. Mr. President, I wish I could rise only to spend these few moments celebrating a very important birthday of Medicare. It is the way 37 million Americans get their basic health protection. Medicare is turning 30 years old this Sunday. For three decades, Americans have been able to rely on health care benefits in their later years thanks to something called Medicare.

Medicare was not born overnight. It had a long gestation period, ever since President Roosevelt shared his vision in the 1930's of a nation which guaranteed both financial security to its citizens and also health care security.

As we all know, changing anything to do with health care does not happen overnight. It certainly did not happen over the last 2 years of nights or days. And it is hard to do. From the 1930's to 1965, which is a long period in this Nation's history, when President Johnson in fact signed the Medicare bill into law, special interests, parts of the medical community—sadly, large parts of the medical community—and plenty of politicians did everything they could to keep the dream of Medicare from becoming a reality.

Today, however, we have to do more than celebrate Medicare's birthday. The question is whether Medicare will be there for seniors and their families for the next 30 years.

Now, I do not mean to say that Medicare is going to cease to exist. Obviously, it is going to be there in some form. But when I look at a budget resolution that takes \$270 billion over 7 years from Medicare and just happens by coincidence to give away \$245 billion in tax cuts over that same period, unspecified tax cuts, the alarm bells tend to go off. Medicare was not enacted to be a piggy bank for tax cuts. Medicare is in fact a sacred part of America's vision and America's promise. I think of Geno Maynard, Sue Lemaster, and John and Betty Shumate.

My colleagues obviously do not know who these fine West Virginians are but every Senator represents thousands of people like them. Geno Maynard is 78 years old and lives in Kenova, WV. Sue Lemaster is 83 years old and lives in Follansbee. She is on oxygen all the time. John and Betty Shumate live in Beckley. That is in the coal fields of West Virginia. They are four of about one-third of West Virginians who depend on Medicare for their health.

They all recently told me when I visited them in their homes that they are very worried. I did not tell them to be worried. They are worried. They are scared. The annual income of the average Medicare recipient in West Virginia is less than \$11,000—\$10,700, to be precise. That is not much money. That is their income from everything they get—Social Security, black lung, whatever it might be, any investments left over, and probably not much of that—\$10,700. So they are very worried because cutting Medicare by \$270 billion sounds suspiciously to them like they are going to have to pay more for less, and I think they may be right.

This is a very big worry for these four West Virginians as they quite flatly told me because they do not have any more money to spend on health care.

Yes, they could sell their house. West Virginia has high ownership of houses. They could sell their house. I think that is sort of an unreasonable thing to

require to get health care in this country when people have worked over the course of their lives.

And then, of course, on average, seniors already spend 21 percent of their incomes on health care expenses. That is three times more than the rest of us. They spend money on benefits that are not covered by Medicare, the largest of which, of course, is prescription drugs. And that does not include eyeglasses and hearing aids and Medigap policies to cover Medicare's cost-share requirements, which can be very hefty.

Mr. President, I would love to have, quite frankly, as a member of the Senate Finance Committee and someone who ranks on the Medicare Subcommittee, I would love to have more details on exactly what the Republican budget will mean for these poor West Virginians. I do not think that is unreasonable. We are talking about a lot of money—\$270 billion. I can tell my people that a budget has passed that will cut \$270 billion from Medicare, but what does that tell them? That simply gets them, naturally, scared. But where? In what form?

I can tell them that the Republican budget will cut another \$182 billion from Medicaid, which hard-working families rely on as the last resort to get into a nursing home. People think of Medicaid often as just representing poor people. You know, not everybody gets to be born a Rockefeller so there are a lot of poor people. A lot of them cannot help it. Some of them could, but most of them cannot. And when they have to go into a nursing home and they do not have any family around, guess who pays 7 percent of the cost of that in West Virginia? Medicaid.

So these cuts are potentially devastating. And as seniors think about them in the raw number, the aggregate number, their imaginations run wild. They sort of think of the worst-case scenario. I do not know whether there is a worst-case scenario or not, but I ought to know. I ought to know as a U.S. Senator on the Finance Committee. I ought to know that. I care about health care.

I can tell them that the experts agree that a total of \$450 billion in health care cuts will have to mean less benefits at a higher cost and lower payments to providers and, incidentally, cost-shifting right onto business.

And I can show them that the same budget just happens to put \$245 billion into tax cuts. And if you did not have, let us say, all those tax cuts to whom-ever they are going to go, that would leave really a very small cut for Medicare or maybe a cut for Medicare and a cut for Medicaid, but it would be much, much smaller. And, incidentally, the Republican budget has increased funding for defense.

But until we get more details on where and how these savings are going to be run out of Medicare, this Senator is sort of helpless as to how to give the people I represent any help, any sense

of a roadmap for their own personal futures.

There is no shortage of packaging around the Republican budget. It is the content I am trying to get hold of. My colleagues on the other side of the aisle argue that they are only trying to strengthen Medicare, saving the program, as they put it. Give me a break.

First of all, I watched the very same Senators vote against previous budget packages that included careful steps to keep Medicare strong and keep Medicare affordable. They voted no. Now they are saying, "Cut."

Second, taking \$270 billion from Medicare while handing out \$245 billion in tax cuts does not exactly sound like a way to shore up the Medicare trust fund. I can try on that, but I cannot get very far.

So we have until the year 2002 before the Medicare trust fund is insolvent. We know that. We say that. And we ought to be doing something about that. We should spend our time here working out responsible steps that put every last dime of Medicare savings into that trust fund. You know, the effect of the \$270 billion cut on Medicare—people might say, "Well, that is going to save Medicare." Well, there is an argument, Mr. President, as to whether it extends the life of the Medicare trust fund by 3 years, 4 years or 5 years, but not 6, 7, or 8. The optimists hope for 5, the pessimists for 3, but no more. And that is not exactly saving Medicare.

So, the Republican budget is designed to raid, not save, the Medicare Program. I believe that. I firmly, fully believe that. Medicare's money is going to be used to finance tax cuts for the wealthy. It is that simple. I am not amused by that. We have been through that before. That is what the 1980's were all about. Our country did not prosper. In fact, this is not a very amusing subject in any way, shape or form. It has nothing to do with assuring long-term solvency of the trust fund. It has nothing to do with making sure the Medicare Program continues to provide high-quality health care for our country's senior citizens and the disabled. It has everything to do with a Republican contract on America. That is what it is called, Republican Contract With America, and Republican promises to balance the budget in 7 years and hand out tax cuts to the rich. Do you think that is political? Maybe it is. But it also happens to be the truth.

Mr. President, I have introduced a bill to set up a Medicare commission to make recommendations on how to guarantee, in fact, the long-term solvency of the Medicare trust fund. Decisions on the future of the Medicare Program should be made outside of partisan debate on how to balance the budget.

What does a 7-year, arbitrarily picked 7-year balance-the-budget exercise have to do with the future of the Medicare Program? Virtually nothing

except in this case everything because they are using Medicare to do that. The budget resolution puts the Medicare Program into a financial straitjacket that does not take into account the health care needs of seniors or the disabled. It ignores the heavy reliance of rural hospitals on the Medicare Program.

Mr. President, there is not a hospital in the State of West Virginia that I can think of that does not depend on Medicare and Medicaid for between 65 to 75 percent of its revenue stream. I cannot think of a single hospital at this moment in West Virginia where something other than Medicare and Medicaid is contributing more than 30 percent or 35 percent or 20 percent or 25 percent to the revenues of the hospital. So you mess around with Medicare and Medicaid, you are messing around with the solvency of hospitals, and particularly rural hospitals.

So what will happen, of course, is that small, rural hospitals will have to shut their doors. My hospital administrators do not speculate on that. They know that. And they can tell you which ones they will be. And it just so happens that one-half of all of the seniors in West Virginia live in rural areas where these hospitals are.

Now, Mr. President, I assume that in September the Finance Committee will get around to submitting its reconciliation plan to the Budget Committee. That means in less than 60 days—in less than 60 days—the Finance Committee will probably have to vote on a plan to take \$450 billion from two health care programs that care for the elderly, the poor, poor children, many pregnant women, and the disabled, a plan we have not seen yet. Just read the newspapers. This is, in my judgment, a deliberate strategy to push each and every budget-related bill up against deadlines to threaten the shutdown of the Federal Government, to put pressure on the President and the hope that the fireworks will drown out what it really means to something called "real people" in West Virginia and other parts of this great country. And those real people include 37 million folks on Medicare.

I just read—not that I am on the mailing list—an interesting memo from a Republican pollster that tells his audience that seniors are "PAC oriented" and "susceptible to following one very dominant person's lead."

I guess this is the kind of advice that leads to all kinds of delays in the budget process and the packaging around Medicare that we are most definitely seeing.

So I have joined with all the Democrats on the Senate Finance Committee and all the Democrats on the Senate Budget Committee in a letter to the majority leader asking for a copy of the Republican secret plan to cut Medicare by \$270 billion, and to have this before the August recess. Is that an extraordinary or somehow terribly unfair request? That will give us

at least a few weeks to discuss the biggest cuts in Medicare's history with something called our constituents, about whom we presume to care.

We need to know what seniors and their families, who count on Medicare to pay their medical care bills, think about these changes and how they will be affected. We have to know that. We have an obligation to know that. It would be a travesty for this contract to enact major massive changes to the Medicare program and not to be able to share any details with seniors, with their families, before the Senate is asked to vote on it.

Then, if all this comes to a reconciliation bill, it is my understanding, and the Parliamentarian can correct me if I am wrong, that we will have a total of 20 hours of debate on the floor of the Senate—20 hours, no more—to discuss thousands of things in the reconciliation bill. I think that is what some people on the other side of the aisle want.

Mr. President, the solvency of the Medicare trust funds is too important to be left to politics as usual.

The Republican suggestion that the Democrats are uninterested in doing what is necessary to put Medicare on sound financial footing does not ring true to me. Going back to the days of President Roosevelt, it was Republicans in Congress who voted against its creation, and it is now Republicans in this country who pose a real threat to Medicare's future. They will keep on saying they are saving Medicare, but raiding Medicare is what they are doing, and that is no way to rescue Medicare.

There is nothing partisan about the West Virginians who turn to Medicare when they retire. I have no idea of the politics of the four people that I mentioned. I have no idea if they are Republicans or Democrats or Independents or unregistered. It makes no difference. I represent them for whatever and whoever they are. In this case, they are older, they are scared and they are human beings. My job is to represent them in the Senate, the only place I can, and that means preserving the meaning and promise of Medicare.

I think, generally speaking, although sometimes some of my colleagues from the other side will tease me, I do not consider myself a particularly partisan Senator. But on this matter, the \$450 billion of cuts in Medicare and Medicaid, with \$245 billion of tax cuts available for who knows who, I am partisan and I am mad, and I am mad on behalf of my people from West Virginia, which is not the richest State in the country. Nobody in West Virginia gets anything without working hard. Everybody has to fight, and the least they deserve is some truth and some leveling from their Congress.

So I close by saying I hope in this week that Medicare turns 30 that we will be reminded what Medicare's future means to something called the dignity, something called the peace of

mind and something called the quality of life for many millions of older Americans.

I thank the President and yield the floor.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER (Mr. GREGG). The Senator from Kentucky.

#### EXTENSION OF MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that morning business be extended until the conclusion of my remarks.

I say to my friend from Michigan, who I know is concerned about the length of my statement, that it might run slightly past 4 o'clock, and I estimate not much.

Mr. LEVIN. Reserving the right to object, and I will not object. Parliamentary inquiry, Mr. President, what will be pending at the conclusion of the remarks of the Senator from Kentucky?

The PRESIDING OFFICER. The gift reform bill.

Mr. LEVIN. S. 1061.

The PRESIDING OFFICER. S. 1061.

Mr. LEVIN. I thank the Chair.

#### ETHICS COMMITTEE HEARINGS

Mr. McCONNELL. Mr. President, on July 14, the Senate Ethics Committee received a letter from the junior Senator from California which threatened that if the committee did not take a specific procedural action in an ongoing case, the Senator from California would pursue a resolution on the floor compelling the committee to take that action. In fact, the letter went so far as to stipulate a deadline for the committee's action, saying, "I plan to seek a vote on the resolution requiring public hearings unless the select committee takes such action by the end of next week."

That deadline expired last Friday, July 21. That Friday afternoon, I came to the floor and informed the Senate the committee would not meet that day, nor would it schedule a future meeting that day. I said we would not respond to any attempts to threaten the committee. I assured the Senate that everyone on the committee would like to complete work on the case now before it, but perhaps we needed a cooling-off period, and I assured the Senate that as long as the threat of the Senator from California remained, the cooling-off period would continue as well.

It is now the afternoon of Thursday, July 27. Four long legislative days have come and gone since the artificial deadline expired. It has become evident that the Senator from California has elected not to proceed with her resolution, at least at this particular time. Although we were fully prepared to provide floor time and debate the matter and have a vote, I strongly want to

commend the Senator from California for deciding not to move forward. I think it is the right decision for both the Senate and the Ethics Committee at this critical point in our inquiry.

Earlier today, Senator BYRD gave us all a moving speech on the occasion of his 14,000th vote in the Senate. He spoke about the need for more civility in the Senate and less high-profile conflict. I think this latest development indicates that we were all listening.

As I said last Friday, the committee could not in good conscience give in to an ultimatum handed to it, whether by a Senator or, frankly, for that matter, by anybody else. But now that plans for imminent floor action appear to have been suspended, I believe the Ethics Committee will be able to proceed with its work, independent of outside demands, deadlines, and divisiveness.

There has been a lot of discussion on this floor and elsewhere in the past few weeks about precedent. For example, we have heard that it would be unprecedented for the Ethics Committee not to hold a full-scale public hearing in the wake of a major investigation. This assertion is simply erroneous. In fact, the committee elected not to have a full-scale public hearing in the Durenberger case. What occurred was a staged presentation by the committee and the accused Senator only. There were no witnesses, no cross-examination, and no new testimony. In essence, it was a prescribed, prepackaged event.

In the well-known Keating case, the Ethics Committee did hold extensive public hearings but as part of its preliminary fact-gathering process, not as a final airing of collected evidence. This is a critical distinction.

In the Cranston case, in particular, Mr. President, the committee decided that the public proceeding should be held for the purpose of obtaining testimony and evidence, and it decided not to hold a public hearing once the investigation had been completed. In other words, the public phase of the Cranston case was limited to the preliminary inquiry stage, and deliberations over the evidence and penalties were conducted entirely in private.

One can argue whether the committee should have proceeded differently in those cases, but that is exactly what it chose to do. I do not recall anyone complaining about the fact that the committee did not hold full-scale public hearings in the investigative phase of those cases.

One thing, however, is clear: The assertion that it would be "unprecedented" for the Ethics Committee not to hold full-fledged public hearings in the wake of a major investigation is simply contrary to the facts.

Naturally, you can give whatever weight you like to precedent. You can ignore it, you can consider it, or you can be bound by it. A few Senators have argued that precedent ought to be controlling on the question of public hearings. But, as I have explained,

there is no clear and consistent precedent in this matter.

Nonetheless, there are other precedents that bear directly on the issue of compelling the Ethics Committee to take an action during an ongoing investigation through the mechanism of a floor resolution.

Senator BYRD, just this morning, mentioned the importance of "knowing the precedents." Of course, he was speaking about parliamentary precedents, and no one in this body knows precedents like Senator BYRD. But there are other kinds of precedents that speak clearly to the issue of whether the Ethics Committee should properly be forced by a Senate resolution to do whatever the majority voting for that resolution desires. These precedents are the ones that ought to guide our response to this question, not merely because they are precedents, but because they speak to the integrity of the ethics process in the Senate and, for that matter, the viability of the Ethics Committee itself.

The first precedent, in fact, is the establishment of the Senate Ethics Committee itself to regulate official behavior and prosecute official misconduct. I am personally proud to say that it was the distinguished Senator from Kentucky, John Sherman Cooper, who proposed the resolution that created the committee in 1964. A year earlier, right before 1964, in 1963, the Senate had been confronted with allegations of misconduct involving Bobby Baker, a close advisor to then Vice President Lyndon Johnson, and at that time secretary to the Senate majority. Back in those days, the Committee on Rules and Administration was responsible for examining charges of wrongdoing here in the Senate. And while the matter was taken seriously, the final resolution of the Baker case left the public, as well as many Members of the Senate, deeply dissatisfied. This created an opening for the Senate to reconsider how it would handle cases of official misconduct in the future. And that led to the establishment of the Ethics Committee.

In our view, for the creation of such a committee, Senator Cooper persuaded his colleagues of the need to take misconduct cases out of the regular committee structure, where the party in power obviously has a built-in advantage. Instead, he argued a select committee with equal representation from each party would inspire the confidence of both the Senate and the public. Senator Cooper said right here on this floor:

First . . . it is to give assurance that the investigation would be complete and, so far as possible, would be accepted by the Senate and by the public as being complete.

Second—

Senator Cooper said this—

and this is important to all Members and employees of the Senate—it is to provide that an investigation which could touch their rights and their offices, as well as their honor, would be conducted by a select committee which—by reason of its experience